

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
NO. 7:10-CR-22-F

UNITED STATES OF AMERICA :
 :
 v. :
 :
 MATTHEW TEACHEY, :
 a/k/a "Mathew Teachey" :

PRELIMINARY ORDER OF FORFEITURE

In the Criminal Indictment in the above action, the United States sought forfeiture of property of the defendant pursuant to 21 U.S.C. § 853.

The defendant, Matthew Teachey, pled guilty pursuant to a written plea agreement as to Count One contained in the Indictment, specifically, 21 U.S.C. § 846. The defendant also agreed to forfeit his ownership interests in certain property which facilitated or which was acquired through his illegal activities.

The Government seeks the forfeiture of certain property which allegedly relate to the defendant's illegal activities, to wit:

That lot or parcel of land, together with its buildings, improvements, fixtures, attachments, and easements, having the street address as 5120 Cornwallis Road, Turkey, North Carolina, and legally described in a deed recorded in Book 1256, Pages 91-93 of the Sampson County Register of Deeds.

After an appropriate hearing as required by Fed. R. Crim. P. 32.2(b)(2), the Court specifically finds that, as the subject property was instrumental to the criminal offense, the required nexus between the property to be forfeited and the criminal offense exists.

Accordingly, it is hereby **ORDERED, ADJUDGED AND DECREED** that:

1. Based upon the defendant's guilty plea and other information of record and presented by the Government, the subject property is forfeited to the United States for disposition in accordance with the law.

2. That pursuant to 21 U.S.C. § 853(n), the United States shall publish notice of this Order and of its intent to dispose of the property in such manner as the Attorney General directs, by publishing and sending notice in the same manner as in civil forfeiture cases, as provided in Supplemental Rule G(4). Any person other than the defendant, having or claiming any legal interest in the subject property must file a petition with the Court within 30 days of the publication of notice or of receipt of actual notice, whichever is earlier.

The petition must be signed by the petitioner under penalty of perjury and shall set forth the nature and extent of the petitioner's right, title, or interest in the subject property,

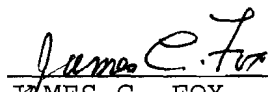
and must include any additional facts supporting the petitioner's claim and the relief sought.

3. That upon adjudication of all third party interests this Court will enter a Final Order of Forfeiture pursuant to 18 U.S.C. § 2253(m)(6), as required by Fed. R. Crim. P. 32.2(c).

4. That upon sentencing and issuance of the Judgment and Commitment Order, the Clerk of Court is directed to incorporate a reference to this Preliminary Order of Forfeiture in the applicable section of the Judgment, as required by Fed. R. Crim. P. 32.2(b)(3). In accordance with Fed. R. Crim. P. 32.2(b)(3), this Order is now final as to the defendant.

SO ORDERED.

This 15th day of July, 2010.



JAMES C. FOX
Senior United States District Judge